

# EXHIBIT 5



## ACKNOWLEDGEMENT AND RELEASE REGARDING INFORMATION COLLECTION PRACTICES

### *What Information Does Speedway Collect and Why?*

During the onboarding process, Speedway uses a third-party device to scan employees' fingers. When an employee places his/her finger on a time-clock or lock, the device scans the employee's finger, applies an algorithm to what it sees, and produces a number unique to that employee (an "Employee Number"). The Employee Number is created by the time clock analyzing "minutia points" on the finger and then applying a proprietary algorithm to create a series of jumbled characters (the Employee Number). **No finger image is stored or transmitted, and the original finger scan cannot be recreated using the data analyzed by the time clocks.**

Speedway stores Employee Numbers for future authentication in two places. First, each time-clock or lock contains a hard drive that stores Employee Numbers for employees who are authorized to use those specific devices. In other words, at any given Speedway location, the local time-clock and lock contains the Employee Numbers of the employees who work there to enable the employee to log in and out of work using the clock, and to gain access to the store using the lock. Second, Speedway stores all Employee Numbers on a secured server at Speedway's corporate headquarters in Ohio.

Speedway does not share Employee Numbers or any other collected information with third parties. Only a very limited number of employees (those with legitimate business reasons) are authorized and able to access the Employee Numbers.

### *Does Speedway Have a Policy Regarding the Collection of this Information?*

Yes. Speedway's Information Collection Policy explains what information Speedway collects from employees during the onboarding process. It also describes how Speedway uses the information and the limitations on how Speedway will use the information. It explains where the information is stored and when/how Speedway will dispose of it.

If you have any questions about the Policy, please contact the Employee Service Center at 888-225-5735 Option 4.

## Acknowledgement and Release

I acknowledge that before I signed this release I was provided Speedway's Information Collection Policy. I read the policy and understand the reasons for the collection and use of my Information. I understand and agree to allow Speedway LLC (including its employees, agents, and independent contractors) to collect, use, store, and dispose of my information in the manner described in the policy.

Employee/Applicant Name: \_\_\_\_\_

EE#: \_\_\_\_\_

Employee Location and Store Number: \_\_\_\_\_

Employee/Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_



To: All IL Stores

## Illinois Biometric Information Privacy Act

The State of Illinois requires a consent form to be completed for any information collection practices.

### What Information Does Speedway Collect and Why?

- During the onboarding process, Speedway uses a third-party device to scan employees' fingerprints.
- When an employee places his/her finger on a time-clock or lock, the device looks at the employee's finger, applies an algorithm to what it sees, and produces a number unique to that employee (an "Employee Number").
- The Employee Number is created by the time clock analyzing "minutia points" on the finger and then applying a proprietary algorithm to create a series of jumbled characters (the Employee Number).
- No fingerprint image is created, stored, or transmitted, and the original fingerprint image cannot be recreated using the data analyzed by the time clocks.

### Effective Immediately

- All employees, including all Store Leadership, hired **on or after November 2, 2017** are required to acknowledge and sign an information release form during the onboarding process.
- All employees, including all Store Leadership, hired **on or before November 1, 2017** will need to acknowledge and sign a release form allowing the continued use of minutia points at the time clock.

### Task:

1. Review the attached Speedway Information Collection policy.
2. Print the attached Information Collection Release form for **every** employee in your store hired **on or before November 1, 2017**.
3. Have each store member acknowledge and sign the consent form.
4. Place all completed forms in a locked cabinet for your District Manager to pick up **by November 22, 2017**.

If you have any questions, please dial the Operations One Number [1-888-225-5735] and select Option 4 for the Employee Service Center.



## **SPEEDWAY'S INFORMATION COLLECTION POLICY**

### **Policy Goals**

This policy governs Speedway LLC's collection, use, storage, and disposal of employee information through its time-clocks and locks.

### **What Information Does Speedway Collect, Why, and Where is it Stored?**

During the onboarding process, Speedway uses devices provided by a third party to scan employees' fingers. When an employee places his/her finger on a time clock or lock, the device scans the employee's finger, applies an algorithm to what it sees, and produces a number unique to that employee (an "Employee Number"). The Employee Number is created by the time clock analyzing "minutia points" on the finger and then applying a proprietary algorithm to that analysis to create a series of jumbled characters (the Employee Number). No finger image is stored or transmitted, and the original finger scan cannot be recreated using the data analyzed by the time clocks.

Speedway stores Employee Numbers for future authentication in two places. First, each time-clock and lock contains a hard drive that stores Employee Numbers for employees who are authorized to use those specific devices. In other words, at any given Speedway location, the local time-clock and lock contains the Employee Numbers of the employees who work there to enable the employee to log in and out of work using the time-clock, and to gain access to the store using the lock. Second, Speedway stores all Employee Numbers on a secured virtual server at Speedway's corporate headquarters in Ohio.

Speedway does not share Employee Numbers with third parties. Only a very limited number of employees (those with legitimate business reasons) are authorized and able to access the Employee Numbers.

### **How Long Does Speedway Keep this Information? How Does It Dispose of the Information?**

Speedway permanently and securely disposes of the Employee Number within its custody or control on the earlier of (a) the date on which the purpose for collecting or obtaining the information has been satisfied; or (b) within three years of the employee's last interaction with Speedway. Speedway's retention cycle may change based on legal requirements (e.g., a valid warrant or subpoena issued by a court of competent jurisdiction).

When destruction of the Employee Number within Speedway's custody or control is required pursuant to Speedway's retention schedule, Speedway takes all reasonable measures to dispose of it (or arrange for its disposal). Such disposal involves erasing or otherwise modifying the Employee Number in Speedway's custody or control to make it unreadable or undecipherable through any means.



Employee Numbers stored on time-clocks, locks and Speedway's server are all disposed of securely. Similarly, any backup copies of Employee Numbers are also securely destroyed where possible to do so.

**Who Can I Contact with Questions?**

If you have any questions about this policy or Speedway's collection or use of the information that is the subject of this policy, contact the Employee Service Center at 888-225-5735 Option 4.